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SUMMARY RECORD OF THE 21st MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 April 1999, at 10 a.m.

Chairman: Ms. ANDERSON (Ireland)

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GE.99-12020 (E)

The meeting was called to order at 10.05 a.m.

STATEMENT BY MR. AUAJJAR, MINISTER OF HUMAN RIGHTS OF MOROCCO

1. Mr. AUAJJAR (Morocco) said that the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights had provided an opportunity to take stock of a 50-year struggle for freedom, justice and dignity. Although that period had been productive in many ways, it should not be forgotten that millions of men and women continued to live in poverty and were also the victims of war atrocities, violence and racism, as was currently the case in Kosovo.

2. Under the guidance of His Majesty King Hassan II, the Kingdom of Morocco had opted for a system based on political and trade-union pluralism, a market economy, social justice and participation of citizens in the management of public affairs. Despite certain difficulties immediately after independence, and as a result of widespread national consensus, the country had successfully moved towards democracy. The new Government which had come to power the previous year was led by a human rights activist of stature, namely Mr. Abderrahmane El Youssoufi. The democratic option had been underscored by Morocco's accession to various international human rights agreements and conventions. The Moroccan Constitution reaffirmed the State's commitment to universally recognized human rights.

3. Morocco had taken all necessary steps to put those international obligations into effect. In 1990 the Advisory Council on Human Rights had been established; the Council was a national institution bringing together members of the Government, representatives of political parties, groups of affiliated trade unions, and human rights organizations. In 1993 the post of Minister of Human Rights had been created to coordinate and plan the Government's human rights policy. Administrative courts had been set up to protect citizens against official misconduct. On the legislative front, a number of statutes had been revised and, since taking office, the Government had indicated that it wished to give priority to harmonizing internal legislation with the international conventions ratified by Morocco.

4. In the political arena, the Moroccan authorities had tackled a number of "pending" human rights issues by taking several crucial decisions: granting an amnesty to persons detained for political offences, transmitting information on the fate of certain missing persons, and adopting the principle of compensation for victims. All those issues had been dealt with by the Advisory Council and every initiative had been endorsed by the King. Moreover, a national plan of action had been drawn up to promote women's rights and strengthen their involvement in the country's development. A legal and psychological counselling service for women in difficult situations and female victims of violence was being established.

5. The Moroccan Government was determined to press ahead with its plans to strengthen the rule of law and ensure meaningful observance of political, civil, economic, social and cultural rights in Morocco. Despite many obstacles, the Government was prepared to meet any challenge with the support of the King and the people. It was pleased to observe that its efforts had been well received abroad, and welcomed in particular the following

significant events: the decision by Amnesty International to hold an international conference in Morocco in summer 1999; the holding in February 1999 of the regional conference on human rights education in Arab countries; the signing of an agreement to establish a centre for human rights documentation, information and training in collaboration with the Office of the High Commissioner for Human Rights and the United Nations Development Programme (UNDP); and, finally, the visit to Morocco by the High Commissioner for Human Rights herself. The Moroccan Government had always cooperated with United Nations human rights bodies.

6. The constraints of globalization weighed heavily on Morocco as on all developing countries. Economic problems took a toll on employment, housing, the campaign against illiteracy, and so forth. The problems facing Moroccan emigrants were especially acute; they were victims of a rising tide of racism and xenophobia. The Moroccan Government appealed to all States to respect the rights of migrant workers. As a mark of its concern for the problem of immigration, Morocco had organized an international seminar on immigration and human rights at the end of 1998. The participants had concluded that the problem could only be resolved through an approach based on cooperation and partnership. The international community should ponder that topic and strive to build a world in which fraternity, justice, solidarity and peace prevailed.

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, INCLUDING:

(a) QUESTION OF HUMAN RIGHTS IN CYPRUS (agenda item 9) (continued) (E/CN.4/1999/7, 25-28, 30-38, 40-43, 107, 117, 119, 121, 125-127, 129-137 and 139; E/CN.4/1999/NGO/11, 12, 16-20, 29, 61 and 100; S/1998/581; A/52/539; A/53/402 and 490)

7. The CHAIRPERSON invited delegations to exercise their right of reply in respect of agenda item 9.

8. Mr. JANSONS (Latvia) said that the Minister for Foreign Affairs of the Russian Federation had painted a picture of the situation in Latvia which bore no resemblance to reality and was completely at variance with the findings of studies conducted by international organizations and countries with an interest in the issue. His delegation hoped that the day would come when the Russian Federation would no longer feel the need to make statements of that kind.

9. Mr. DEMBRI (Observer for Algeria) said that, instead of simply attacking developing countries and making false allegations about Algeria, the representative of New Zealand would do well to inform the Committee about the forced assimilation of the Maori people, the treatment of prisoners at Mangoroa, the application of the Treaty of Waitangi, especially concerning the return of land to indigenous peoples, the inequalities between indigenous people and the rest of the population, and the upsurge in racism and xenophobia in New Zealand.

10. Regarding the comments made by Human Rights Watch and World Organization against Torture, his Government rejected their allegations as untrue and regretted that they had not roundly condemned the acts of terrorism committed by non-Government entities.

11. Furthermore, as far as his delegation was aware, Human Rights Watch had never published any material about the murder of the African American John King by the Ku Klux Klan. His delegation also wished to know whether World Organization against Torture had reacted publicly to the revelation that certain services from the country where it was based had colluded with the South African apartheid regime in planning to sterilize black women and inoculate African populations with viruses.

12. Mr. NETO (Observer for Angola) said that the representative of Germany, speaking on behalf of the European Union, and the representative of New Zealand had referred to the war in Angola in their respective statements under agenda item 9. His delegation regretted the ambiguous nature of those statements, which were incoherent and did not square with the positions taken by the Governments of the member States of the European Union, either within the Union itself or at the United Nations Security Council. It should be recalled that, in its resolutions 1190, 1195, 1202 and 1213 of 1998 and its resolution 1229 of 26 February 1999, the Security Council had laid the blame for the crisis in Angola on the União Nacional para a Independência Total de Angola (UNITA) and its leader, Mr. Savimbi.

13. Mr. MERIC (Observer for Turkey) said that his Government valued its dialogue with Norway on the subject of human rights. However, it should be made clear that, in official contacts between the two countries, the so-called Kurdish question had never been raised. Turkey was a full democracy in which all citizens, regardless of their ethnic origin, had the same rights and obligations and could embrace their own culture. Mr. Ocalan was the leader of a terrorist organization responsible for the deaths of over 30,000 people, and he was being treated in strict accordance with the law.

14. The statements made by Greece and the Greek Cypriot administration did not merit a detailed reply since they issued from a terrorist State and its accomplice which were responsible for a number of violations in Turkey.

15. Mr. MENGESHA (Observer for Ethiopia) said that the Eritrean delegation and the Eritrean regime's representatives on the African Commission of Health and Human Rights Promoters and the African Association of Education for Development had sought to mislead the Commission.

16. When Eritrea had become independent in 1993, persons living in Ethiopia who had acquired Eritrean citizenship had been allowed to continue living in Ethiopia and participate in the life of that country on an equal footing with Ethiopian nationals. But the Eritrean regime had used some of its citizens in Ethiopia to conduct espionage. Consequently, the Ethiopian Government had been within its rights to request those persons, and those persons alone, to leave the country; the necessary precautions had been taken for their safe return to Eritrea. The Eritrean allegation that 1,000 Eritrean nationals had disappeared in Ethiopia was thus without any basis whatsoever. It was Eritrean propaganda designed to divert the attention of the international

community from its aggression against Ethiopia and the mass human rights violations which the Eritrean regime had committed against Ethiopians.

17. Mr. TEKLE (Observer for Eritrea) said that in his previous statement he had merely been quoting the High Commissioner for Human Rights, the Secretary-General, Amnesty International and the Prime Minister of Sweden. Almost all independent reports had stated that the arrest, detention and expulsion of Eritreans and Ethiopians of Eritrean origin had been arbitrary. The representative of Ethiopia should give a clear answer to the following questions: had the deportees and detainees been found to be national security risks according to due process of law? Had they been given the opportunity to appeal? Had they consulted a lawyer? And had it been necessary to torture them?

18. The Ethiopian delegation had produced no documents from non-governmental organizations (NGOs), international organizations or Governments to support its allegations. And, unlike Eritrea, Ethiopia had not invited a number of United Nations bodies and other institutions to carry out on-the-spot investigations. Representatives of the African Association of Education for Development were welcome to visit Eritrea, and Ethiopia should extend a similar invitation.

19. U DENZIL ABEL (Observer for Myanmar) said that the Government of Myanmar was making every effort to promote and protect human rights in accordance with the principles of the Universal Declaration of Human Rights. The delegations which had alleged the existence of human rights abuses in Myanmar were clearly not motivated by a desire to promote and protect human rights. Moreover, they persisted in referring to Myanmar by its former colonial name, thereby revealing where their sympathies lay. Regarding the allegation that human rights abuses included the displacement of ethnic minorities, it should be recalled that 16 out of 17 ethnic groups had laid down their weapons and were currently cooperating with the Government in developing their respective regions and participating in national life. A single group continued to refuse the olive branch extended by the Government. The group in question had a long history of cooperation with outside forces, and under the pretext of defending democracy and human rights it had disseminated misinformation to certain Western media.

20. In 1988 the country had been on the brink of disintegration. Today the rule of law had been re-established. Only persons who broke the law had been arrested and sentenced.

21. The Government had set itself the objective of gradually introducing multi-party democracy and a market-oriented economy, while at the same time taking into consideration the specific characteristics of Myanmar. Numerous examples of similar experiments had shown that haste would only lead to instability and chaos.

22. Those who advocated or imposed economic sanctions on Myanmar were simply impeding the country's move towards democracy and full enjoyment of human rights. Further details about the situation in Myanmar could be found in document E/CN.4/1999/129.

23. Mr. GAHIMA (Rwanda) replying to the statement by the Minister of Human Rights of the Democratic Republic of the Congo, said that the leaders of the present Congolese regime, whose excesses were far worse than anything perpetrated by Mobutu, had openly supported and funded the erstwhile Rwandan Armed Forces (FAR) and the Interahamwe militias which were operating from Congolese territory, where they were preparing to finish the genocide which they had carried out in 1994.

24. The conflict in the Democratic Republic of the Congo had not been caused by foreign aggression; it was the result of the bloodthirsty dictatorship of President Kabila. The Governments of neighbouring countries, and particularly Rwanda, could not remain indifferent to the instability in the Democratic Republic of the Congo, given that the Congolese Government was providing extensive support to its enemies.

25. The Rwandan Government supported a peaceful negotiated settlement of the conflict providing for the neutralization and dismantling of the non-State armies that were operating in the territory of the Democratic Republic of the Congo and threatening the security of neighbouring countries.

26. Genocide was currently being committed by the Congolese Government against a section of its population. The Congolese Minister of Justice had described Rwandans and Tutsis as insects, microbes and germs which must be methodically eradicated. Other ministers had made similar statements. Such incitement to genocide had already resulted in thousands of deaths. The Rwandan Government was astonished by the puzzling silence of the Special Rapporteur on the situation of human rights in the Democratic Republic of the Congo and the genocide. The Commission should appoint a new Special Rapporteur or establish some other mechanism to investigate as a matter of urgency whether such acts had taken place in the Democratic Republic of the Congo so that those responsible could be called to account.

27. Mr. NAHAYO (Observer for Burundi) said that his delegation wished to make clear to the Minister of Human Rights of the Democratic Republic of the Congo that Burundi had never sent any troops into that country. Burundi was merely keeping a close watch on its borders to ensure that the Congolese conflict did not spill over into its territory. His Government hoped that the Congolese themselves would find a way to end their civil war.

28. Mr. SIMKHADA (Nepal), replying to the statements of a number of NGOs, said that the 100,000 refugees from Bhutan which Nepal had accepted for humanitarian reasons, and who had been living in camps in eastern Nepal for the last 10 years, were a heavy burden for a small developing country. Without the valuable aid of the Office of the High Commissioner for Refugees (UNHCR) and NGOs such as Lutheran World Federation, the Nepalese Government would have experienced great difficulty in caring for them.

29. Nepal had spared no effort to negotiate a settlement to the problem. Unfortunately, little progress had been made in seven rounds of ministerial talks between Nepal and Bhutan. Nepal regretted that the eighth ministerial meeting which the two parties had agreed to hold in Kathmandu in January 1999 had not taken place; it had notified the Bhutanese Government that it was ready to receive the Bhutanese delegation in Kathmandu as soon as possible.

The optimism generated by the November 1998 Thimbu ministerial consultations should not be allowed to evaporate. His Government urged all the parties involved to create favourable conditions for expediting the success of bilateral negotiations.

30. Mr. PARNOHADININGRAT (Indonesia) said that the Indonesian Government had taken a bold approach to resolving the East Timor question. The new approach had naturally raised expectations, but also frustrations and tensions, which the representative of Portugal had nevertheless exaggerated. It was very important for the parties concerned to commit themselves unreservedly to creating an atmosphere conducive to the success of the next round of tripartite consultations which was due to be held shortly in New York.

31. For its part, the Indonesian Government was fully committed to releasing all East Timorese political prisoners, and had already initiated a release programme. However, the measure would not apply to convicted criminals.

32. The number of Indonesian soldiers in the province had already been substantially reduced. The reduction had to be carried out in stages in order to avoid chaos. Moreover, the issue had been examined within the framework of the tripartite negotiations. His Government strongly rejected the Portuguese allegation that the Indonesian army had supplied weapons to groups that favoured integration into Indonesia. The army fully endorsed the political choices made by the Government.

33. The Indonesian Government had been surprised to hear the leader of the independence party, Xanana Gusmao, call for an armed rebellion against the Indonesian armed forces. That appeal, which was simply a move to ensure a United Nations presence in the province, could seriously jeopardize the process of reconciliation and the consultations on the autonomy offer.

34. The establishment of peace and security in East Timor must be linked to the disarming of the militias, particularly the pro-independence extremists, who had been responsible for the death of innocent civilians and were behind the incident during the Easter holiday in which five people had been killed.

35. Regarding the allegations of food and health problems in the province, representatives from AusAID had visited East Timor between 10 and 20 March 1999; they had reported that supplies of food and medicines in East Timor were adequate and that localized shortages were the result of transport difficulties.

36. His Government called on all the parties concerned, including Portugal, to play a constructive role in finding a peaceful solution to the problem.

37. Mr. ROMASZEWSKI (Poland) regretted that the representative of Cuba had been uncomplimentary about the delegations which had criticized the human rights situation in that country. He himself had been a prisoner in Poland under the Communist regime, and thus he could well imagine the fate which awaited Cubans who dared to criticize their Government.

38. At the preceding session of the Commission, the draft resolution on the situation of human rights in Cuba had not been adopted in view of the positive

measures taken by the Cuban Government, especially with regard to religious freedom. Since then, unfortunately, Cuba had relapsed into its former ways.

39. His delegation hoped that the Cuban people would be able to overcome their isolation and regain their place among liberty-loving peoples.

40. Mr. EFTYCHIOU (Observer for Cyprus) said it was astonishing that Turkey, which had been found guilty of mass human rights violations in Cyprus by the European Court of Human Rights, had taken the liberty of defaming his country. The Turkish delegation would do better to answer the following questions: Had Turkey or had it not occupied 37 per cent of the territory of the Republic of Cyprus? Had it or had it not expelled almost 200,000 persons previously living in the northern part of the island? Was it or was it not supporting an army of 35,000 men in northern Cyprus? Had it or had it not settled 114,000 Turkish colonists? Had it or had it not encouraged the destruction of the Cypriot cultural heritage in the occupied zone?

41. Mr. CHIFAMBA (Observer for Zimbabwe), replying to the statements by the representatives of the European Union, the United States of America, Norway and the International Confederation of Free Trade Unions, said that the situation of human rights in Zimbabwe had never been as dire as had been portrayed.

42. The case of the two journalists which had been cited was an isolated incident and had been fully and satisfactorily explained to the European Union ambassadors in Harare. The case was still sub judice. Freedom of expression should not be regarded as a right to misinform, particularly when the misinformation endangered national security.

43. Regarding the Democratic Republic of the Congo, not only had the allied forces not violated any rights, they had actually prevented a bloodbath in Kinshasa and had re-established order and respect for the Geneva Conventions.

44. With regard to the allegations by the International Confederation of Free Trade Unions that trade union freedoms were not observed in Zimbabwe, it should be pointed out that freedom of association did not imply the right to loot, destroy property or terrorize innocent people. The temporary measures taken by the Government were intended to restore law and order in Zimbabwe and to put a stop to the violence committed by the ZCTU since 1997. The structural adjustment programmes inspired by the International Monetary Fund (IMF) were the root cause of the social disturbances in Zimbabwe. However, the Government could not allow anarchy to prevail in the country. On the contrary, it was committed to the promotion of constructive dialogue with the trade unions within the framework of tripartite negotiations.

45. Mr. MANOUSAKIS (Observer for Greece) said that his delegation wished to associate itself fully with the views of the Cypriot delegation and categorically rejected any allegation that Greece's human rights record was tainted.

46. Mr. PSTROSS (Czech Republic), replying to the statement by the representative of Cuba regarding the joint initiative of the Czech Republic and Poland to introduce a draft resolution on the situation of human rights in

Cuba, said that his delegation had already explained its position in a paper circulated at the start of the session. Up to 1998 the United States of America had taken the initiative of introducing draft resolutions on the situation of human rights in Cuba, yet the topic was serious enough to warrant criticism from other quarters. Since they had experienced a similar totalitarian regime for more than 40 years, the Czechs and the Poles had good reason to take an interest in events in Cuba. Aware of the price of democracy, they wished to extend a helping hand to Cuba, which would face the necessity of democratization in the none too distant future. The transition would probably be painful, although both delegations hoped that it would be as easy as possible, and the experience of Poland and the Czech Republic could be useful in that respect.

47. In introducing the draft resolution, Poland and the Czech Republic did not wish to condemn Cuba, still less threaten it with sanctions. But they could not turn a blind eye to human rights abuses, of which the Independence and National Economy Protection Act was an example. The draft resolution was not ideologically motivated, nor was it intended to widen the gap between North and South or introduce a double standard. It was based on universal principles, and it was on that basis that the sponsors were willing to accept criticism of the draft resolution.

48. Ms. DIOGO (Observer for Portugal) said that her Government was surprised by the response of the representative of Indonesia. Her delegation had not sought to engage in point-scoring; it merely believed that the Commission should be aware that tension was currently running very high in East Timor and that the human rights situation was deteriorating.

49. Mr. FERNÁNDEZ PALACIOS (Cuba), responding to the comments by the representatives of Poland and the Czech Republic, said that they had both indicated that the draft resolution on the situation of human rights in Cuba had been a joint initiative on their part, without referring to the true instigator of the draft, namely the United States of America. The two delegations were not speaking for themselves, and appeared to be content to play the role of satellites orbiting around another State. Statements by former eastern-bloc countries on such issues were predictable.

50. The Czech Republic and Poland foresaw a transitional period for Cuba. But Cuba had been in transition for more than 40 years, following its own path as an independent and sovereign State. It was to be wondered what kind of a transition the Czech Republic and Poland had undergone. Furthermore, it was strange to hear the two delegations in question preaching to others when they had quite enough problems of their own. In Poland, the transition had resulted in child prostitution and trafficking in women and girls. In the Czech Republic, the status of minorities, and especially Gypsies, was a matter of concern. At the current session of the Commission, those two countries had chosen to work for the United States. Cuba would continue to speak for itself, with dignity.

51. Mr. NAZARIAN (Observer for Armenia), replying to the statements of the representative of Azerbaijan, said that the facts which his delegation had cited were true and could be checked. The Azerbaijani delegation appeared to have confused history and geography. It was only in 1921 that

Nagorny-Karabakh, a province of Armenia, had been ceded to Azerbaijan on the arbitrary decision of a Bolshevik body influenced by Stalin. The inhabitants of Nagorny-Karabakh had suffered serious human rights abuses and discrimination, and their demands had been violently crushed. The population of Nagorny-Karabakh had never been able to exercise its right to secede as recognized under international law. The situation was already so serious that it was no longer necessary to dwell on the Azerbaijani authorities' intention to ethnically cleanse the area, yet the Azerbaijani side still posed as the victim. The Secretary-General had stated that no Government had the right to hide behind national sovereignty in order to violate the human rights and fundamental freedoms of individuals, regardless of whether they belonged to the majority or the minority.

52. Mrs. EIVAZOVA (Observer for Azerbaijan) said the representative of Armenia had stated that the population of Nagorny-Karabakh had a right to seek independence or unification with Armenia. It was precisely in order to effect such a union between Nagorny-Karabakh and Armenia that the latter had committed aggression against Azerbaijan. The conflict had claimed tens of thousands of victims in Azerbaijan. Twenty per cent of the national territory had been occupied. Of a total population of 7.5 million, Azerbaijan had over 1 million refugees and displaced persons, the highest proportion in the world. That was the real situation which the Commission on Human Rights should take into consideration.

53. The CHAIRPERSON declared the consideration of agenda item 9 closed.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 10) (E/CN.4/1999/44 and Add.1 and 2, 45, 46 and Add.1, 47-51, 112 and Add.1 and 115; E/CN.4/1999/NGO/13, 35, 48, 49 and 57; A/53/293 and Add.1; A/RES/53/141)

54. Ms. LIZIN (Independent expert on extreme poverty), introducing her first report (E/CN.4/1999/48) to the Commission, said that the objective which had been set, namely the eradication of extreme poverty, was both justified and feasible. It was justified because extreme poverty was an affront to all human rights, particularly to the major principles of the equal dignity of all human beings and non-discrimination. It was a phenomenon which affected 1.3 billion people throughout the world, the majority of whom were women. The situation of the poorest among them indicated the interdependence of the human rights involved, be it the right to an adequate standard of living, the right to the protection of the family, the right to a legal personality, the right to be entered in the register of births, marriages and deaths, or the right to participate in political and social life. In order to gain a deeper understanding of poverty and find ways to eradicate it, it was necessary to forge a close acquaintance with the poor themselves and to work in partnership with them.

55. The fight against extreme poverty was feasible both politically and financially. It would cost approximately $80 billion a year and require a significant transfer of resources through international cooperation. Donor countries should increase their contribution by way of official development assistance (ODA), which had amounted to just 0.25 per cent of gross national product (GNP) in 1996, whereas the General Assembly had called upon developed countries to contribute an amount equal to 0.7 per cent of their GNP. The

General Assembly had also urged the developed countries to allocate 20 per cent of ODA, and developing countries 20 per cent of their national budgets, to core social programmes. An important element in the fight against poverty was coherence: in that respect, the action of international financial bodies was crucial. The fact that the World Bank and the International Monetary Fund (IMF) were beginning to participate in the debate on human rights and poverty was welcome news; the Comprehensive Development Framework and the Global Trust Fund were two initiatives which deserved to be pursued.

56. At the national level, political will on the part of Governments was crucial for success. It was not necessarily expensive to secure respect for the human rights of the very poor. There were poor people everywhere, and in each case it was important to take essential measures such as complying with the law in respect of civil status and funding core social services.

57. The recommendations in the report included the following: promotion of the universal ratification of human rights instruments; provision of a minimum guaranteed income in every country and access to essential social services; ensuring that developed countries devoted 0.7 per cent of their national budgets to ODA; cooperation with the World Bank and the IMF to identify the minimum degree of social protection that needed to be retained alongside structural adjustment programmes, and the adoption of framework legislation on microfinance; providing local authorities with resources to establish social welfare bodies and encourage the participation of the poorest citizens in decision-making processes; setting aside a number of places in job-creation and occupational re-entry programmes for the poorest segments of the population; provision for alternatives to prison for the very poor, who often fell foul of the law and were unable to pay fines; provision of free legal aid for all persons living in extreme poverty; promotion of greater awareness among social workers and national human rights institutions about the lives of the poorest and most marginalized; availability upon request of technical assistance programmes to any State with a view to ensuring respect for the rights of the very poor; enhanced civil rights protection in countries affected by corruption, which disrupted tax collection and the redistribution of resources among the poorest sections of the population; and priority attention for refugees and internally displaced persons.

58. A meeting should be organized in 1999 to draw up a comparison of best practices for combating extreme poverty. If necessary, a preliminary draft declaration on human rights and extreme poverty should also be prepared.

59. She thanked those countries and organizations which had helped her to carry out her mandate.

60. Mr. CHERU (Independent expert on structural adjustment policies), introducing his report (E/CN.4/1999/50), said that, at first sight, the report might appear too harsh and critical. However, it represented a close study of the current worldwide chaos for which third-world Governments, international financial institutions and donor Governments were all to blame. An obsession with market liberalization had made people forget that economies should be adapted to fit human needs, not the other way round. Almost two decades had elapsed since structural adjustment programmes had begun to be implemented around the world, with disastrous consequences. Economically, they had led to

a significant erosion of the living standards of the poor; politically, they had caused a number of countries to cede their sovereignty to multilateral institutions. It should not be forgotten that the structural adjustment policies launched in the early 1980s had largely aimed to ensure that debtor countries fulfilled their financial obligations to their creditors. Consequently, they had resulted in a net transfer of financial resources from the poor South to the North; between 1984 and 1990 the amount involved was $155 billion. Although debt relief was an important initiative, the fundamental crisis faced by developing countries would never be resolved unless adjustment policies were radically rethought. Most countries had slid backwards into growing inequality, environmental degradation, de-industrialization and poverty. The problem had been compounded by increasing globalization which had relegated many poor countries to the margin of the world economy. Instead of managing debt, since the early 1990s structural adjustment policies had formed part of a deliberate strategy to facilitate the penetration of markets by transnational companies. In essence, structural adjustment had facilitated the process of globalization through deregulation, liberalization and reduction of the role of the State in national development.

61. Both within NGOs and United Nations agencies such as the United Nations Children's Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Labour Organization (ILO), there had been increasingly forthright criticism of the disastrous effects of structural adjustment policies, for example the dramatic increase in poverty and unemployment in particularly disadvantaged areas of the world such as sub-Saharan Africa and South Asia. Structural adjustment had led to an across-the-board decrease in social expenditure, thereby seriously compromising the exercise of fundamental rights such as the right to food, education, shelter and health.

62. Attempts had been made to remedy the situation. Creditors had tried to reschedule third world debt. Unfortunately, the initiative had made little headway in alleviating the debt burden. The eligibility criteria for the heavily indebted poor country (HIPC) initiative should be relaxed, and greater resources should be allocated to it. Even more important, debt reduction should be linked to verifiable progress in the field of human rights and human development. Although it was hard to disagree with many of the elements contained in adjustment programmes, they should nevertheless be geared to the concept of "adjustment with transformation", meaning that the adjustment process should emphasize the alleviation of poverty and the satisfaction of basic needs. Health care, nutrition and education were the basic building blocks of a human-centred transformation strategy.

63. Ms. KSENTINI (Special Rapporteur on the illicit movement and dumping of toxic waste) said that her progress report (E/CN.4/1999/46) included replies received from three Governments - those of Croatia, New Zealand and Turkey - and several NGOs. A number of measures had been taken at the regional level to control the illicit traffic in dangerous waste products. The decision of the Kuching Conference to establish regional centres for training and technology transfer regarding the management of hazardous wastes and the adoption, under the auspices of the International Atomic Energy Agency, of a Joint Convention on the Safety of Spent Fuel Management, were particularly noteworthy.

64. The report also listed various incidents which had been brought to her attention. Since the publication of the report, a reply had been received from the Government of Madagascar concerning the facts referred to in paragraphs 73 and 74. The Malagasy Government had confirmed that a number of marine fish had died in March 1997, but stated that measures had been taken and the phenomenon was probably caused by toxic algae. An incident in which dozens of Haitian children had been poisoned by a syrup containing an ingredient unfit for medical use was particularly alarming. The ingredient in question had apparently been sold through a German company and supplied by a company based in the Netherlands. The Netherlands Government had recently indicated that a criminal investigation was currently under way. The Commission should also take note of the conclusions and recommendations contained in paragraphs 94 to 110 of her report, including those relating to her mission to Africa, which were still valid.

65. The addendum to the report (E/CN.4/1999/46/Add.1) dealt with her mission to Latin America and a number of African countries. One positive point to be emphasized was the interest which all those countries had shown in environmental and human rights issues in general and the illegal traffic in toxic substances and dangerous wastes in particular. Most of the countries visited had well-developed legislation in the field and had complied with the relevant international principles and instruments. However, none of them was immune from illegal traffic, given that, in general, they lacked the resources or facilities to check goods and analyse the nature of the products entering their territory. Illicit traffic therefore remained covert, undetected or underestimated. The most serious concerns had been raised in connection with the excessive or uncontrolled use of toxic agricultural products such as paraquat and dibromochloropropane (DBCP) by foreign transplants and transnational companies, which had caused the irreversible sterility of 11,000 workers on banana plantations belonging to the American firms United Fruit Company and Standard Fruit Company. In Costa Rica, the ombudsman had made efforts to help workers obtain compensation; unfortunately, women and children were not entitled to claim. Other cases involved the alleged abuse of humanitarian assistance to offload hazardous substances. Dangerous wastes had been imported fraudulently into Brazil from Germany and the United Kingdom. The Secretariat of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal should intercede with the States concerned to find a solution in conformity with the Convention. The abandonment of a plan to build a nuclear waste storage site near the Mexican border was welcome news. On the other hand, the harmful environmental and health impact of the activities of subcontracting firms (maquiladoras) was a particular cause for concern. In Paraguay, the problems linked to the discovery in 1997 of barrels of dangerous wastes in the port of Asunción had still not been resolved. In that connection, the Commission's attention was drawn to the recommendations contained in paragraph 125 of the report. Paraguay should be provided with technical assistance to enable it to destroy substances which could not be treated in the country.

66. Information and cooperation were vital for the execution of her difficult mandate. Transnational companies also had a responsibility; the role of Governments was to ensure that companies observed good practice and the basic principles of environmental protection and human health. The growing tendency to satisfy the claims of persons affected by illicit

practices should be encouraged; projects should also be launched to assist victims of such practices. The Board of Trustees of the Voluntary Fund for the International Decade of the World's Indigenous Populations had been sent details of a scheme to raise awareness among Paraguay's indigenous populations of the danger posed by misuse of toxic agricultural chemicals. Finally, the High Commissioner for Human Rights had been sent details of various technical assistance schemes designed to ensure more effective monitoring of the illicit traffic in hazardous substances.

67. Mr. YAMAZAKI (Japan) said that individual Governments were primarily responsible for the enjoyment of economic, social and cultural rights. His Government had expressed the same view under the agenda item on the right to development. Japan did not wish to belittle the role of international cooperation in that field; evidence of its commitment was illustrated by the goals of the Second Tokyo International Conference on African Development (TICAD II), held the previous October, namely halving the number of people living in extreme poverty in Africa and ensuring universal primary education for all African children by the year 2015.

68. Japan strongly supported the outstanding efforts made by the High Commissioner for Human Rights to strike a balance between all human rights by ensuring that they were taken into account in the field of development and in cooperation with Governments and United Nations bodies and agencies. The task could not be achieved by the Commission alone; it required the commitment of other entities, including civil society and other United Nations bodies, to alleviate extreme poverty, secure food supplies and ensure the right to primary education and basic health services.

69. The United Nations Development Programme (UNDP) had a crucial role to play in poverty eradication. Japan welcomed the fact that UNDP had incorporated a human rights perspective into its activities. It was clear that the human rights dimension was an integral part of much of the work of organizations in the United Nations system, for example the Food and Agriculture Organization of the United Nations (FAO), UNICEF, the World Health Organization (WHO), the Commission for Social Development, the Commission on Sustainable Development and the United Nations Environment Programme (UNEP). That was not to say that every issue that incorporated a human rights perspective, for example toxic and dangerous wastes or foreign debt, should be dealt with by the Commission. Those issues would be better addressed by UNEP and the World Bank or the IMF, respectively. Japan believed that economic, social and cultural rights were crucial components of human rights and that the relevant agenda item should be examined in a practical and efficient manner.

70. Mr. HÖYNCK (Germany), speaking on behalf of the European Union, the Central and Eastern European countries associated with the Union, and Cyprus, said that the coordination segment of the Economic and Social Council (ECOSOC) in July 1998 and, more recently, the fifty-third session of the General Assembly had given the European Union and many other countries an opportunity to reiterate their commitment to economic, social and cultural rights, as well as civil and political rights, which were indivisible and interdependent. However, humankind was still a long way from the universal realization of both sets of rights. The same observation applied to the

countries of the European Union, which still had much to do in order to promote social integration, combat remaining discrimination, and address their serious unemployment problem. The European Union had learned through experience that successful economic development need not be at the expense of social inequality and the neglect of labour rights. In the same vein, countries currently affected by economic and social crises might wish to ask themselves whether their problems were exclusively economic in nature, or whether they might also stem from a failure to respect the rights of individuals.

71. With regard to the impact of globalization, the European Union took the view that the forces generated by globalization could constitute an opportunity to reduce disparities at the global level. A number of countries had experienced rapid and dynamic economic growth through intensified competition. Globalization should benefit all individuals and every country, including the traditionally disempowered. New partnerships needed to be forged between the business community, Governments, civil society and international organizations so that certain ethical standards, particularly those concerning workers' rights, would be fully respected. The adoption in June 1998 by the International Labour Conference of a package of fundamental principles on workers' rights had been a particularly significant development. The creation of three new mechanisms at the fifty-fourth session of the Commission on Human Rights, namely the Special Rapporteur on education, the independent expert on extreme poverty and the independent expert on the right to development, were also important steps in the right direction.

72. Although complaints mechanisms relating to economic, social and cultural rights were one way of strengthening awareness of those rights, such an initiative would require legal clarification as a first step. The European Union believed that a specific procedure for promoting economic, social and cultural rights was less important than bringing to bear all the resources of the United Nations through its organizations and programmes such as FAO, the World Food Programme (WFP), UNICEF, UNDP, UNESCO and WHO. Every country should nevertheless be encouraged to submit its comments on the report of the Committee on Economic, Social and Cultural Rights, which contained a draft optional protocol outlining a mechanism for examining communications on those rights.

73. Convinced of the important role of women in the fight against poverty and extreme poverty, the European Union welcomed the decision by the Economic and Social Council to dedicate its 1999 high-level segment to women's employment in poverty eradication. The eradication of poverty was a complex task. New partnerships should be forged between all the countries taking part in the Commission's work, because only joint action could gradually eliminate the scourge of poverty. Human rights must form the basis for any policy in that field.

74. Social integration was one of the European Union's objectives. It should be based on non-discrimination, tolerance, respect for diversity and universal participation. The establishment of social justice was an enormous task, especially given the obstinacy of certain racist and xenophobic attitudes.

75. The European Union attached special importance to the right to education because it empowered individuals to participate actively in the decisions which influenced their development and that of society as a whole. The Special Rapporteur on education should be commended for her initial report, which contained useful recommendations on the strategies which needed to be implemented to make universal primary education a reality.

76. Mr. DIABRE (Associate Administrator, United Nations Development Programme) said that poverty was simply unacceptable, especially given that, according to the 1997 UNDP Human Development Report, the world had the resources to eradicate it. The crucial question was whether it also had the will to do so. Poverty struck at every human right; first and foremost it affected the right to life, because life expectancy in least developed countries was less than 40 years. Women were the hardest hit; they were victims of violence and sexual exploitation, and 600 million women were illiterate.

77. The promotion of human rights and especially economic and social rights was an integral component of UNDP's activities. Its underlying approach was that development was unsustainable in situations where the rule of law and equity did not exist, where discrimination was rampant, where free speech was restricted and where people lived in abject poverty. UNDP had made the right to development its primary reference, because in doing so it was advocating a people-centred approach to sustainable human development. That approach was beginning to strengthen UNDP's work in poverty eradication. Through its programmes, UNDP hoped to make people aware of their rights and enable them to act as agents of social change.

78. UNDP had developed a close working relationship with the Office of the High Commissioner for Human Rights. UNDP and the Office of the High Commissioner had signed a memorandum of understanding in March 1998 which spelled out modalities of cooperation, and a joint task force had been established to oversee their cooperation. The initiative had borne fruit. It had led to the development of a global subprogramme on human rights aimed at helping countries to build the necessary capacities to fulfil their international treaty commitments. It had also contributed to a community-assistance programme to support low-cost human rights activities at grass-roots level. In 1998, 69 grants had been awarded in 24 countries to community groups, many through UNDP country offices. Finally, in consultation with the Office of the High Commissioner for Human Rights, UNDP had devised a training programme to help its staff systematically incorporate human rights into its sustainable human development activities. Of course, certain UNDP activities already had a human rights dimension. The battle against AIDS was a case in point. Another area in which UNDP had proposed specific solutions was debt relief, a topic of particular interest to the Commission.

79. UNDP was also starting to focus its attention on the strengthening of human rights institutions. In Eastern Europe and the Commonwealth of Independent States (CIS), UNDP had directly supported such institutions. In Latin America, and especially in Peru, it was helping countries to reform their justice systems. Asia had been the scene of some genuinely innovative projects. In the Philippines, for example, UNDP had provided technical assistance to the Philippine centre for investigative journalism. It was also

assisting with the creation of the first centre for higher learning on human rights at Tehran University. In Africa, UNDP was promoting democratic transition and strengthening parliaments in some countries, while in others it was striving to integrate human rights into peace and reconciliation processes. In South Africa, UNDP had helped the new Government to implement policies which fully conformed with its social commitments. A number of projects had already been implemented in Arab countries. In Morocco, for example, a national programme on human rights was being implemented with the assistance of UNDP and the Office of the High Commissioner for Human Rights, and a centre for human rights documentation, information and training was being established. UNDP was also assisting the Jordanian Government to establish a shelter for women who feared honour killings. It intended to continue its work to ensure that all the rights enshrined in the Universal Declaration of Human Rights became a reality.

80. Mr. LAGOS PIZZATI (El Salvador), speaking on behalf of the Central American countries, namely Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua and Panama, said that the Governments in question had concluded an alliance which marked a turning point in sustainable development strategy at local, national and regional level. They were currently taking advantage of unprecedented peace and stability to intensify a process of modernization and democratization which would lay the foundations for lasting economic growth. In order to give expression to their commitment to the rights enshrined in the International Covenant on Economic, Social and Cultural Rights, in 1995 the countries in the region had signed a treaty on social integration in Central America, which was based on the concept of people-centred development.

81. Concerning the right to food, the Central American countries had reaffirmed their commitment to the Rome Declaration on World Food Security and the World Food Summit Plan of Action and welcomed the follow-up meeting organized in November 1998 under the auspices of FAO. In accordance with the recommendation contained in the report of the open-ended working group on structural adjustment programmes and economic, social and cultural rights (E/CN.4/1999/51), the Central American countries stressed the urgent need to foster closer cooperation between Governments, United Nations bodies international financial institutions, in particular the World Bank and the IMF, and NGOs with a view to creating an economic environment favourable to the promotion and strengthening of economic, social and cultural rights. Foreign debt was still a significant problem for certain countries in the region in that it prevented them from investing in social development and breaking out of the vicious cycle of poverty. The proposals of the Special Rapporteur on that issue were eagerly awaited.

82. The group of Latin American countries had noted with satisfaction the report of the Special Rapporteur on the illicit movement and dumping of toxic waste (E/CN.4/1999/46), and the account of her mission to Latin America, which indicated that the region was especially prey to the illicit traffic of dangerous and toxic wastes (E/CN.4/1999/46/Add.1, para. 107). Aware of the need for economic and social development that preserved the environment, the Central American Governments had formulated national legislation centred around environmental protection, preservation and rehabilitation. During her visit to Costa Rica, the Special Rapporteur had witnessed the major efforts

made to prevent the import and use of toxic substances, particularly agricultural products. The Government of Costa Rica had demonstrated its commitment by drafting a bill on toxic waste, concluding an agreement with the United States on the export of dangerous industrial waste produced by American firms located in Costa Rica, and supporting the work of the environmental ombudsman. The group of Central American countries nevertheless shared the Special Rapporteur's concerns regarding the fact that existing national and international standards, particularly the Basel Convention, did not offer States adequate protection against illicit movements of toxic products. Many countries lacked the necessary resources to monitor and analyse goods entering their territory. The Latin American countries called upon the international community to take all necessary measures to ensure sound toxic waste management and eliminate associated hazards.

83. Mr. CHÁVEZ (Peru) said Peru was convinced that the full realization of economic, social and cultural rights, like that of civil and political rights, was closely linked to the eradication of widespread poverty. While agreeing on the need to continue reflection on the causes of extreme poverty, his delegation nevertheless believed that the time was ripe to take specific measures; the international community could not remain indifferent to the persistence, and indeed aggravation, of extreme poverty in certain areas of the world, at a time when the economic system made it possible to attain unprecedented levels of wealth and prosperity

84. The Peruvian Government was fully meeting its responsibilities in the national fight against poverty by pursuing a dual-track policy. First of all, it was devising long-term structural policies to put in place the preconditions for sustainable economic development. In countries such as Peru, redistribution policies simply resulted in poverty being shared around rather than eliminated. Extreme poverty could therefore only be eradicated through the creation of tangible wealth. Whence the adoption of a development model based on a sensible macroeconomic policy which would enable the country to find its niche in the international economic system and benefit from the numerous opportunities offered by globalization. Second, the Peruvian Government had used the additional resources generated by the implementation of structural adjustment policies, particularly income from privatization, to respond to the urgent needs of the poorest sections of the population. It had thus allocated 40 per cent of its national budget - or twice the amount advocated by the General Assembly within the framework of the 20/20 initiative - to social expenditure, and particularly education, health care, social infrastructure and measures to combat inequality between the sexes.

85. It was clear that other developing countries were also experiencing success in the fight against poverty at national level. It would therefore be most useful to learn of their experiences. Thus, in her report to the fifty-sixth session of the Commission, the independent expert on extreme poverty should sum up all the effective national measures which had been taken in that field with a view to defining appropriate international action. Since the work would necessarily require political will, Peru wished to join the independent expert in calling for poverty eradication to be consolidated as an absolute priority throughout the United Nations system, for developed countries to devote 0.7 per cent of their GNP to ODA, and for 20 per cent of such assistance to be earmarked for core social programmes. Moreover, since

the fight against poverty also included technical cooperation programmes under the direction of the Office of the High Commissioner for Human Rights, the Peruvian Government feared that the funding of such programmes from extrabudgetary resources would place those essential activities at a disadvantage compared with the other operations of the Office of the High Commissioner.

86. Mr. KUNADI (India) said that, despite the acknowledgement in the Vienna Declaration that all human rights were indivisible, economic, social and cultural rights continued to lag behind owing to differences of opinion as to their justiciability and the obligations of States under the International Covenant on Economic, Social and Cultural Rights. Steps must therefore be taken to raise awareness of the nature and content of those rights and different national practices.

87. For its part, India had incorporated economic, social and cultural rights into its Constitution by enshrining therein a set of directive principles. The jurisprudence of the Indian Supreme Court held, for example, that if the right to education contained in the directive principles was not observed, fundamental rights would remain beyond the reach of large segments of the population which were illiterate. The Supreme Court had also ruled that the right to life included the right to live in dignity, i.e. a person's ability to feed and clothe himself, enjoy adequate shelter and express himself and move around freely. As a result of the constitutional amendment and the judgements in question, debate within India was now focused on the best way to secure economic, social and cultural rights, not on the issue of whether those rights were justiciable or not.

88. The report of the independent expert on extreme poverty (E/CN.4/1999/48) had stressed that poverty was the main cause of human rights violations around the world, and that the failure to eradicate poverty was due to an absence of political will rather than a lack of resources. India endorsed the conclusions of the report, particularly those calling for poverty eradication to be consolidated throughout the United Nations system, the transfer of resources through international cooperation, an increase in the amount of ODA, regulation of capital flows, cancellation of the external debt of highly indebted countries, and reform of international financial and trade institutions. The Sub-Commission on Prevention of Discrimination and Protection of Minorities should be requested to prepare the basic elements of a draft declaration on extreme poverty, in close collaboration with the independent expert.

89. India also welcomed the efforts of the Special Rapporteur on education to analyse the policy and practice of bilateral and multilateral aid for education and to determine the amount of additional funding needed to achieve basic education for all.

90. The report of the independent expert on structural adjustment policies (E/CN.4/1999/50), focusing on the effects which those policies had had on the full enjoyment of human rights, contained a commendable analysis of the root causes of indebtedness in much of the developing world. It also pointed out that, while the economic, social and cultural rights of millions of poor people had been systematically undermined by structural adjustment policies,

the sum of $213 billion had been transferred from the South to the North in 1996 alone by way of debt repayments. The independent expert had called for a fundamental transformation of economic and political structures at both national and global level with a view to combining sustainable economic growth and social justice. India eagerly awaited the independent expert's revised report and hoped that the Working Group would be able to make early progress in drawing up basic guidelines on structural adjustment programmes.

91. India appreciated the work of the Committee on Economic, Social and Cultural Rights to enhance the visibility of those rights and clarify the provisions of the International Covenant. The Committee's statement on globalization was also particularly relevant. Her delegation also welcomed the growing interest demonstrated by civil society, including organizations of jurists, in economic, social and cultural rights and commended the commitment of the High Commissioner in that field.

92. Mr. WANG Min (China) said that, according to the World Bank, the foreign debt of developing countries had amounted to 34.9 per cent of their gross domestic product in 1997 and over 1 billion people in the world were living below the poverty line. The impact of globalization, coupled with international financial storms, had simply aggravated the disastrous economic situation of developing countries. The promotion and protection of economic, social and cultural rights remained a daunting challenge and a pressing task for the international community. Many developing countries had expected great things of the Commission on Human Rights, but the reality had been disappointing. Rarely did it issue resolutions dealing with those rights and mechanisms for protecting them. The ongoing process of reform risked further dilution of the powers of those mechanisms. The Commission could not go on neglecting the calls of developing countries on matters such as debt reduction, banning the illicit dumping of toxic substances and waste, or reform of the unjust international economic order.

93. The Commission had failed to play its role. In order to promote and protect economic, social and cultural rights, the international community should accord those rights the same degree of importance as other rights, as stipulated by the Vienna Declaration and Programme of Action. Human rights belonged to all peoples, including the peoples of developing countries. Social progress and material prosperity should not be the monopoly of a few countries. Second, efforts should be made to strengthen international cooperation. Developed countries should reverse the decline in ODA in order to create a favourable external environment for growth in developing countries. Third, the Office of the High Commissioner for Human Rights should play an enhanced role in promoting and protecting economic, social and cultural rights. China hoped that the High Commissioner would enlist greater human and financial resources in order to achieve tangible results.

94. As a developing country, China was keenly aware of the importance of securing economic, social and cultural rights for its people. The Chinese Government had worked relentlessly towards that end and had already achieved remarkable results. Thus, in 1998, despite the dire consequences of the Asian financial crisis and the unprecedented floods and drought which had hit the country, the Chinese economy had seen growth of 7.8 per cent, which had led to

a steady improvement in people's living standards. Instead of resting on its laurels, the Chinese Government would continue to raise the human rights standards enjoyed by the population.

95. Mr. ZAFERA (Madagascar) commended the authors of the documents before the Commission under agenda item 10 for the contribution which they had made to the debate. The report of the independent expert on extreme poverty (E/CN.4/1999/48) stated that over 3 billion people in the developing world were living in poverty, more than 150 million children aged under 5 were seriously malnourished, 260 million children were suffering from anaemia, and 855 million people in the world were illiterate. Figures of that magnitude should impel States to take urgent measures at the national and international level.

96. The scale of poverty was such that States could not combat it in isolation. Sub-Saharan Africa, where poverty was ubiquitous, would enter the new millennium in an unprecedentedly precarious state. One of the major problems it faced was debt, which had absorbed over 90 per cent of its gross national product in 1997 and had paralysed its economic and social development. Despite measures to alleviate the burden, debt was still preventing the countries concerned from making the necessary investments in areas such as health care, education and agriculture. The shrinking resource base had been exacerbated by the evaporation of private capital and the erosion of ODA, not to mention the consequences of the financial storm which had recently struck East Asia.

97. Absolute poverty was a very serious violation of human rights and the international community must confront it. It had to be admitted that the measures taken thus far, significant and numerous as they had been, had not fully lived up to expectations, especially when overly complex qualifying criteria had slowed down procedures and restricted the number of beneficiaries. The globalization of the economy required additional measures on the part of the international community to ensure that developing countries, and particularly the least developed, could benefit from the multilateral trade system. His delegation believed that the international community had the obligation and the resources to demonstrate enhanced solidarity within the framework of more efficient cooperation. First of all, it was necessary to find a just and lasting solution to the foreign debt problem, otherwise the gap between rich and poor countries would never be bridged. Concerning illicit dumping of toxic and harmful substances, international cooperation should also play a significant role in helping developing countries to prevent tipping and eliminate the harmful consequences thereof for the enjoyment of the right to life and health.

The meeting rose at 1.05 p.m.